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DEP  $\frac{1}{3}$  REF

PATENT & TRADEMARK  
DIVISION

2005 SEP 22 PM 4:11

US PATENT & TRADEMARK  
OFFICE

MS 16  
Docket No.: 3626-0240P  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Watson WU

Application No.: 10/034,390

Confirmation No.: 008731

Filed: January 3, 2002

Art Unit: 2178

For: METHOD AND SYSTEM FOR PRODUCING  
A BOOK FROM A VIDEO SOURCE

Examiner: C. B. Paula

**ATTENTION: Refund Section  
Accounting Division  
OFFICE OF FINANCE**

**REQUEST FOR A REFUND**  
**(IMPROPER FEES PAID - SMALL ENTITY PREVIOUSLY ESTABLISHED)**

MS 16  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following documentation and remarks are respectfully submitted in connection with the above-identified application.

**DOCUMENTATION**

Attached hereto is a copy of written assertion of small entity status filed on January 3, 2002.

**REMARKS**

Pursuant to 37 C.F.R. § 1.28(a), applicants hereby request a refund of 50% of the Notice of Appeal and Extension of Time fees paid on August 22, 2005. Furthermore, applicants note that the fee for a two (2) month extension of time was inadvertently paid, although only a one (1)

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Application No.: 10/034,390

Docket No.: 3626-0240P

month extension of time was necessary. Accordingly, only \$310.00 in fees were due (\$250.00 for the Notice of Appeal and \$60.00 for a one (1) month extension of time), although \$950.00 in fees were paid.

Small entity status was established prior to payment of this fee by the filing of a written assertion/statement on January 3, 2002.

Under 37 C.F.R. § 1.26(b), any request for a refund which is not based upon subsequent entitlement to small entity status must be filed with a two-year nonextendable time limit.

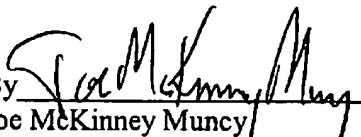
The Notice of Appeal and Extension of Time fees in the amount of \$950.00 were paid on August 22, 2005. It is respectfully requested that the excess fee of \$665.00 be credited to Deposit Account No. 02-2448.

Favorable action on the present Request is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: September 20, 2005

Respectfully submitted,

By   
Joe McKinney Muncy  
Registration No.: 32,384  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Rd  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
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Attorney for Applicant

Attachment(s)

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3626-0240P

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement, PTO-1449 and reference(s)
- ☐ Other \_\_\_\_\_
- ☐ Applicant requests early publication

The filing fee has been calculated as shown below:

LARGE ENTITY				SMALL ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE FEE		RATE FEE
BASIC FEE	***** ***** *****	***** ***** *****	***** \$740.00	or	**** \$370.00 ****
TOTAL CLAIMS	30 - 20 =	10	x18 = \$ 0.00	or	x 9 = \$ 90.00
INDEPENDENT	3 - 3 =	0	x84 = \$ 0.00	or	x 42 = \$ 0.00
MULTIPLE DEPENDENT CLAIM PRESENTED <u>no</u>			+280 = \$ 0.00	or	+140 = \$ 0.00
TOTAL \$ 0.00				TOTAL \$ 460.00	

- ☒ A check in the amount of \$ 500.00 to cover the filing fee and recording fee (if applicable) is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$ \_\_\_\_\_. A triplicate copy of this transmittal form is enclosed.
- ☐ No fee is enclosed.

Please send correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 2292  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000

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3626-0240P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. 1.16 or under 37 C.F.R. 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

**COPY**  
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**COPY**

Date: January 3, 2002

Docket No.: 3626-0240P

Assistant Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of  
Inventor(s): WU, Watson

For: METHOD AND SYSTEM FOR PRODUCING A BOOK FROM A VIDEO SOURCE

Enclosed are:

- ☒ A specification consisting of 29 pages
- ☒ 3 sheet(s) of FORMAL drawings
- ☒ An assignment of the invention - \$40.00 Recording Fee
- ☐ Certified copy of Priority Document(s)
- ☒ Executed Declaration ☒ Original ☐ Photocopy
- ☒ Applicant claims small entity status in accordance with 37 CFR 1.27
- ☐ Application Data Sheet in accordance with 37 C.F.R. 1.76

AUG 22 2005

PTO/SB/22 (12-04)

Approved for use through 7/31/2005, OMB 0851-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>FY 2005</b> (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		<b>Docket Number (Optional)</b> 3826-0240P	
<b>Application Number</b> 10/034,390-Conf. #8731		<b>Filed</b> January 3, 2002	
<b>For</b> METHOD AND SYSTEM FOR PRODUCING A BOOK FROM A VIDEO SOURCE			
<b>Art Unit</b> 2178		<b>Examiner</b> C. B. Paula	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	<b>Fee</b>	<b>Small Entity Fee</b>	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$
<input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ 450.00
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
<input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 02-2448. I have enclosed a duplicate copy of this sheet.			
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).			
<input type="checkbox"/> attorney or agent of record. Registration Number _____			
<input checked="" type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 32,334			
Signature <i>James T. Elly, Jr.</i> # 39,538		August 22, 2005	
Typed or printed name <i>Joe McKinney Muncy</i>		Date	
		(703) 205-8026	
		Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input type="checkbox"/> Total of 1 forms are submitted.			

08/24/2005 HBINAS 00000013 022448 10034390

02 FC:1252 450.00 DA

Adjustment date: 11/08/2005 SDIRETA1  
08/24/2005 HBINAS 00000013 022448 10034390  
02 FC:1252 450.00 CR

Birch, Stewart, Kolasch &amp; Birch, LLP

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PAGE 3/5 \* RCVD AT 8/22/2005 7:22:21 PM [Eastern Daylight Time] \* SVR:USPTO-EFAX-6/24 \* DNIS:2738300 \* CSID:703 205 8050 \* DURATION (mm-ss):02:08

11/08/2005 SDIRETA1 00000036 022448 10034390

02 FC:2251 60.00 DA

AUG 22 2005

PTO/SB/31 (04-05)

Approved for use through 07/31/2003. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		<b>Docket Number (Optional)</b> 3626-0240P	
In re Application of Watson WU			
Application Number 10/034,390-Conf. #8731		Filed January 3, 2002	
For METHOD AND SYSTEM FOR PRODUCING A BOOK FROM A VIDEO SOURCE			
Art Unit 2178		Examiner C. B. Paula	

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 600.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ \_\_\_\_\_

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 02-2448. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98)

☐ attorney or agent of record.  
Registration number \_\_\_\_\_

☒ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. 32,334

*James T. Elly* #32,538  
Signature  
*Joe McKinney Muncy*  
Typed or printed name

(703) 205-8026  
Telephone number  
August 22, 2005  
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of 1 forms are submitted.

Adjustment date: 11/08/2005 SDIRETA1  
08/24/2005 MBINAS 00000013 022448 10034390  
01 FC:1401 500.00 CR

08/24/2005 MBINAS 00000013 022448 10034390

01 FC:1401 500.00 DA

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PAGE 2/5 \* RCVD AT 8/22/2005 7:22:21 PM [Eastern Daylight Time] \* SVR:USPTO-EFAXF-6/24 \* DNIS:2738300 \* CSID:703 205 8050 \* DURATION (mm-ss):02-08

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